

**BIOARRAY SOLUTIONS****FAX COVER PAGE****To:** SPE Long Li**From:** Eric Mirabel;

emirabel@bioarrays.com

Company: PTO**Phone:** 908-226-8200, Extension 203**Fax:** 571 273 0823**Date:** 03/02/2004**Re:** 09/690,040**Pages:** Including cover 3 **Urgent** **For Review** **Please Comment** **Please Reply** **Please Recycle**

This matter has still not been forwarded for publication, as it shows the issue fee was not paid. As shown in the attached, we paid the issue fee on 7/31/03. Then on 9/18/03, we petitioned for expedited review, and sent in another copy of the issue fee transmittal by fax. Please let me know about this matter. Thanks

35 Technology Drive, Suite 100, Warren, NJ 07059
Ph: 908-226-8200 Fx: 908-226-0800
www.BIOARRAYS.com

PATENT
ATTORNEY DOCKET NO.: LEAPS-Con4
CUSTOMER NO: 36038

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Michael Seul

Serial No.: 09/690,040

Filed: 10/17/2000

Allowed: 7/24/2003

For: Light-Controlled Electrokinetic Assembly
of Particles Near Surfaces

) Group Art Unit: 1641

) Examiner: P. Do

Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

Request/Petition for Simultaneous Issue of Patent

Dear Sir:

Pursuant to MPEP 1306.2, Applicants hereby requests or in the alternative petitions for immediate issuance of the above application as a patent. The request is made now, and was not made when the issue fee transmittal was mailed to the PTO on 7/31/03, because it has since then come to the attention of Applicant that a potential competitor will commercially launch infringing subject matter within the next few days -- well before the time a patent is otherwise expected to issue. A copy of the Issue Fee Transmittal (previously sent in) follows. Please charge any fee due in connection with this request to Deposit Account No. 502088.

Respectfully Submitted,

BY:

Eric P. Mirabel
Reg. No. 31,211
Bioarray Solutions, Ltd.
35 Technology Drive
Warren NJ 07059
(908) 226 8200 (ext 203)

Date:

9/18/03

I, Eric P. Mirabel, certify that, on the date indicated above, this correspondence and all attachments indicated herein are being faxed to the Assistant Commissioner for Patents, at (703) 746-5291